

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Criminal Action No.
v.)	07-00301-01-CR-W-NKL
)	
BRYAN WALKER,)	
)	
Defendant.)	
)	

ORDER

On December 12, 2008, United States Magistrate Judge John T. Maughmer issued a Report and Recommendation recommending that this Court enter an order finding the Defendant competent to stand trial [Doc. # 71].

Defendant Bryan Walker was examined at the United States Medical Center for Federal Prisoners from August 20 to October 14, 2008. According to a Competency Report prepared by Dr. Christina A. Pietz, Ph.D., ABPP, Walker did not have a mental illness that would prevent him from either understanding the nature or potential consequences of the proceedings against him or from assisting his attorney. Dr. Pietz opined that while Walker demonstrates “a maladaptive personality style that will likely interfere with his interactions with his attorney . . . he is capable of understanding the proceedings against him and assisting his attorney, if he chooses to do so.”

While Dr. Pietz did not appear at the hearing held before Magistrate Judge Maughmer on December 9, 2008, regarding Walker’s competence to stand trial, both the United States

and Walker stipulated that if Dr. Pietz had testified, she would have testified consistent with the findings in her report – that Walker is able to understand the proceedings against him and is able to assist his counsel. Neither the United States nor Walker presented any other evidence.

Pursuant to the Report and Recommendation of United States Magistrate Judge Maughmer, to which there has been no timely objection, and after a *de novo* review of the record, the Court finds that Defendant Bryan Walker is competent to understand the nature and consequence of the proceedings against him and to properly assist in his defense.

IT IS SO ORDERED.

s/ Nanette K. Laughrey
NANETTE K. LAUGHREY
United States District Judge

Dated: December 30, 2008
Jefferson City, Missouri